

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ERIK KNUTSON and KEVIN LEMIEUX, individually and on behalf of all others similarly situated,

Plaintiffs,

v.  
SCHWAN'S HOME SERVICE, INC. and CUSTOMER ELATION, INC.,

Defendants.

Civil No. 3:12-cv-0964-GPC-DHB

**ORDER:**

**(1) GRANTING JOINT MOTION TO CONTINUE STAY AND DEADLINE FOR PLAINTIFFS TO FILE MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT, (ECF NO. 129);**

**(2) DENYING PENDING MOTIONS WITHOUT PREJUDICE, (ECF NOS. 84, 113, 121)**

Having considered the parties' Joint Motion to Continue Stay and Deadline for Plaintiffs to File Motion for Preliminary Approval of Class Action Settlement, and good cause appearing therefor, the Court hereby **GRANTS** the Joint Motion. Accordingly, **IT IS HEREBY ORDERED** that:

1. These proceedings are **STAYED** until **March 31, 2014**, or until Plaintiffs file a motion for preliminary approval of class action settlement, whichever is earlier; and
2. Given the parties' representations that they are close to finalizing a settlement agreement, the Court finds it appropriate at this time to deny

1 without prejudice the motions currently pending in this case. Thus,  
2 Plaintiffs' Motion for Summary Judgment, (ECF No. 84), Defendants'  
3 Motion for Summary Judgment, (ECF No. 113), and Defendants' Motion  
4 to Decertify the Class, (ECF No. 121), are each **DENIED WITHOUT**  
5 **PREJUDICE.**

6 DATED: February 27, 2014

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8 HON. GONZALO P. CURIEL  
United States District Judge

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